



VARIANCE APPLICATION PROCEDURES

A variance is a request to deviate from the established development standards in the Zoning Code or Sign Code. In order to be granted a variance, an applicant must prove four conditions exist on the subject property. Upon filing a request for a variance, Planning Staff recommends the applicant meet with a City Planner to discuss possible alternatives to filing a variance. Once an application is filed, the applicant will attend a public hearing held by the Board of Adjustment. This Board consists of seven (7) members appointed by the Mayor and approved by the City Council who will determine whether to approve or deny the request for a variance. The Board of Adjustment must find that four conditions exist on the subject property to rule favorably on a variance request. The applicant is required to prove his or her case to the Board of Adjustment based on the four conditions listed below.

1. There are special circumstances or conditions applying to the land, building, or use referred to in the request; and
2. The granting of the variance is necessary for the preservation and enjoyment of substantial property rights; and
3. The granting of the variance will not materially be detrimental to persons, property, or to the public welfare of the community; and
4. The special circumstances applicable to the subject property were not self-imposed by the property owner or any previous owner of the property.

Further, a Board member may not be approached in person, by telephone, or electronic e-mail by the applicant to discuss the variance. Questions or concerns regarding the variance or public hearing process should be directed to the City Planner. Also, all Board members are prohibited from visiting the subject site individually but are allowed to visit the site as a group.

Variances which are granted by the Board shall be void if the use is not commenced or a building permit has not been issued within sixty (60) days of the Board's action or within the time stipulated by the Board.

Department of Planning and Development, Planning Services Division
Location: 215 East Buffalo Street, Chandler, Arizona
Mailing Address: Mail Stop 105, PO Box 4008, Chandler, AZ 85244-4008
Telephone (480) 782-3000 Fax (480) 782-3075
Revised January 7, 2003

FILING REQUIREMENTS

1. Fill out and complete the attached application form and justification, fully answering each question in detail. Please attach additional sheets of paper if necessary.
2. Include one (1) copy of the proposed site plan detailing the following (as they apply to the specified request). The site plan should detail property boundaries, topographic characteristics, existing improvements and uses, and proposed improvements and uses. This site plan is to be drawn to scale and adequately dimensioned.

****NOTE:** Application requirements, on a case-by-case basis, are at the discretion of the City Planner and you may be required to provide additional information.

BASIC SITE PLAN REQUIREMENTS

- *NORTH ARROW
- *STREET NAMES
- *DIMENSIONS OF LOT
- *SURROUNDING LAND USES
- *DIMENSIONS BETWEEN ALL STRUCTURES AND PROPERTY LINES AND/OR FENCES
- *DIMENSIONS BETWEEN ALL STRUCTURES ON THE SAME LOT
- *LOCATION AND DIMENSIONS OF ITEM FOR WHICH VARIANCE IS REQUESTED
- *STATUS OF PROJECT (proposed or existing)
- *ADDITIONAL REQUIREMENTS/ITEMS REQUESTED BY CITY PLANNER

3. Include mailing labels of the names and addresses of property owners within a 300-foot radius of the subject site for which the variance is proposed. This information is available at the Maricopa County Assessor's Office, please contact them at (602) 506-3406 or at www.maricopa.gov.
4. Photographs of the subject property to explain why the variance is needed
5. Filing Fee: (to be paid the day of filing)

Single Family residential use	\$100
All other requests	\$200

6. Posting of Property:
The City Planner will post the subject property with signs notifying the public of the request, dates, and times of the formal public hearing.

Please contact the City Planner assigned to your project if you have any further questions regarding this application.

City of Chandler

APPLICATION FOR VARIANCE REQUEST

Please have the following information filled out before filing your application. If the property owner(s) is not filing the application, fill out the attached letter authorizing an applicant or project representative to file and pay the fees required for this application. You may write 'See Attached' if needed.

This area for city use only

CITY PLANNER: _____

PROJECT NO. _____

-Area below to be filled out by applicant

PROJECT NAME: _____

PROPERTY ADDRESS WHERE VARIANCE IS BEING REQUESTED: _____

TYPE OF VARIANCE REQUESTED: _____

SECTION OF ZONING CODE FROM WHICH RELIEF IS REQUESTED (i.e. Section 1234 (a)):

HAS THE PROPERTY BEEN ISSUED A NOTICE OF VIOLATION? CIRCLE YES OR NO
IF YES, INCLUDE A COPY OF THE VIOLATION NOTICE / LETTER.

PROPERTY OWNER NAME: _____

MAILING ADDRESS: _____

CITY, STATE, ZIP CODE: _____ PHONE: (____) _____

APPLICANT / REPRESENTATIVE NAME: _____

MAILING ADDRESS: _____

CITY, STATE, ZIP CODE: _____ PHONE: (____) _____

SIGNATURE OF PROPERTY OWNER or REPRESENTATIVE

X _____

LETTER OF AUTHORIZATION

City of Chandler - Variance Application

It is requested that an application for a Variance be accepted by the Planning and Development Department for property located

Said property is owned by _____

and hereby authorizes me to file this application on his/her behalf.

I hereby certify that the above information is correct, and that I am authorized to file an application on said property, being either the owner of record or authorized to file on behalf of the owner.

Applicant Signature

Date

Property Owner Signature

Date

Property Owner Signature

Date

JUSTIFICATION

(Must Be Completed Fully By Applicant)

The following questions are intended for you to explain why your request meets the four conditions to be met in order to be granted a variance by the Board of Adjustment. It is the burden of the applicant to prove his or her case to the Board.

1. Please explain what special circumstances or conditions apply to the land, building, or use referred to in the application, which do not apply to other similar properties in the same zoning district. Special circumstances or conditions would include, for example: an unusual lot size, shape, or topography. This condition is considered a property hardship and it must be a condition relating to the property that is so unique it cannot be replicated on any other similarly zoned property in the City.

2. Please state why the authorizing of this variance is necessary for the preservation and reasonable enjoyment of substantial property rights. In other words, without you being granted this variance, your property cannot be reasonably used. You will not be granted a variance if your property can be used, even if it is in a manner other than that desired by the owner or applicant.

3. Please explain why authorizing this variance application will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or the public welfare in general. A variance that will not be compatible with the surrounding development or will create an adverse impact on other properties cannot be approved.

4. Please provide information that proves the special circumstances on your property were not created by the owner, any previous owner, or applicant. The property hardship cannot be self-imposed.

ZONING FEE SCHEDULE

(Ordinance No. 2354)

1. General Plan Amendments

- | | | |
|----|----------------|-------|
| A. | Map Amendment | \$500 |
| B. | Text Amendment | \$500 |

2. Rezoning

- | | | |
|----|------------------|---|
| A. | Single Family | \$500 plus \$25 per acre or portion thereof |
| B. | Multi-Family | \$500 plus \$25 per acre or portion thereof |
| C. | Non-Residential | \$500 plus \$25 per acre or portion thereof |
| D. | Zoning Extension | Same as Original Fee |

3. Preliminary Development Plan \$200 if filed as an individual application. No fee required if filed with a Rezoning application.

4. Use Permits

- | | | |
|----|----------------------|----------------------|
| A. | Single Family | \$200 |
| B. | Administrative | \$75 |
| C. | All Others | \$300 |
| D. | Use Permit Extension | Same as Original Fee |

5. Variances

- | | | |
|----|---------------|-------|
| A. | Single Family | \$100 |
| B. | All Others | \$200 |

6. Continuances

- | | | |
|----|---------------------|-------|
| A. | Applicant's Request | \$100 |
|----|---------------------|-------|

7. Subdivision Plats

- | | | |
|----|------------------|---------------------------|
| A. | Preliminary Plat | \$500 plus \$5.00 per lot |
| B. | Final Plat | No Fee |

8. Miscellaneous Fees

- | | | |
|----|-----------------------------|--------|
| A. | Home Occupations | No fee |
| B. | Zoning Verification Letters | No Fee |